THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 18566 OF 2000

Dated 20th June, 2007

Between:

Smt. C.Bhagyalakshmi

…Petitioner.

AND

The Mandal Revenue Officer,
Shameerpet Mandal, Rangareddy
District and another.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioner has questioned the validity of the instructions issued by the Mandal Revenue Officer, Shameerpet Mandal, Rangareddy District vide proceedings No.B/29/91, dated 10.3.1993.

In the aforesaid order, the Mandal Revenue Officer, on the ground that an enquiry is pending regarding the status of lands as to whether they belong to temple or not directed the registering authority not to entertain any transactions. This court, in view of the judgment of a Division Bench of this court in W.A.No. 169 of 1999, granted interim directions to receive and register the sale deed.

In the counter affidavit filed on behalf of the respondents, it is stated that during the year 1952, the entries in the pattadar column were changed illegally and originally the land belongs to Seetharamaswamy temple. As such, they have also decided to claim the subject lands by filing a petition under the provisions of the A.P. Land Grabbing (Prohibition) Act.

While it is open for the respondents to claim the land by approaching the appropriate forum, but under the scheme of Registration Act and the rules made thereunder, there is no authority for the Mandal Revenue Officer for issuing instructions to the Sub-Registrar not to entertain any transactions.

In that view of the matter, unless the claim of the respondents is established, no instructions can be given for not registering the documents. Therefore, the order under challenge to the extent of the land of the petitioner is set aside and the writ petition is ordered accordingly. No costs.

20-6-2007

R.SUBHASH REDDY, J.

VR